

### **REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed October 10, 2007. Claims 1-39 were pending in the Application. In the Final Office Action, Claims 1-39 were rejected. Claims 40-46 are added. Thus, Claims 1-46 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

### **SECTION 102 REJECTIONS**

Claims 1, 3-11, 13, 14-17, 19-21, 23-29, 31-32, 34-37 and 39 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6978,385 issued to Cheston et al. (hereinafter "*Cheston*"). Applicants respectfully traverse this rejection.

Under 35 U.S.C. § 102, a claim is anticipated only if each and every element as set forth in the claim is found in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051 (Fed. Cir. 1987); M.P.E.P. § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131.

Of the rejected claims, Claims 1, 14, 19, and 31 are independent. Claim 1 recites "a security module adapted to control access to a secure computer resource by a user via a client based on verification of a security credential provided by the user," and "verification data disposed on the client and accessible by the security module, the security module adapted to enable the user to recover the security credential based on a response received from the user associated with the verification data" (emphasis added). In the Office Action, the Examiner appears to assert that the primary password in *Cheston* corresponds to the "verification data" recited by Claim 1. (Office Action dated October 10, 2007, pages 2, 5 and 6). Applicants respectfully disagree. For example, *Cheston* appears to disclose a primary password stored in a client and used to permit access to the client by a user based on whether a password entered by the user matches the primary password. (*Cheston*, column 8, lines 31-35). Thus, if the

correct password is not entered, then the primary password of *Cheston* appears to be supplied by a remote server using an interrogative method. (*Cheston*, column 3, lines 14-20). Thus, the primary password of *Cheston* appears to simply authenticate a user to enable the user to access a client of *Cheston*. The primary password of *Cheston* does not appear to “enable the user to recover the security credential” as recited by Claim 1. In fact, *Cheston* appears to disclose that the interrogative password system and not the primary password enables recovery of the primary password. Moreover, *Cheston* appears to further disclose that the interrogative password system results in the remote server supplying the primary password to the BIOS of the client of *Cheston* as opposed to having verification data disposed on the client that would enable “the user to recover the security credential” as recited by Claim 1. Therefore, Applicants respectfully submit that *Cheston* does not appear to disclose or even suggest all the limitations of Claim 1. Accordingly, at least for these reasons, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

Moreover, Applicants respectfully submit that the Examiner has failed to establish a *prima facie* anticipation rejection of Claim 1. For example, in the Office Action, the Examiner appears to correspond the primary password of *Cheston* with both the “verification data” and the “security credential” recited by Claim 1, which is an improper claim construction. (Office Action dated October 10, 2007, pages 2, 5, and 6). Specifically, the Examiner states that the “client computer prompting the user for a primary password which is stored in the client...and a determination (verification) of whether or not the primary password the user was asked to enter into the client is valid.” (*Id.* at 5). Therefore, by indicating that the primary password corresponds to two elements recited by Claim 1, the Examiner has failed to establish that “each and every element as set forth in” Claim 1 is found in *Cheston* in accordance with the MPEP. Moreover, the “verification data” recited by Claim 1 is used to enable a user to recover a credential. In contrast, the Examiner appears to use the term “verification” as verifying the accuracy of a password entered by a user. Therefore, Applicants respectfully submit that *Cheston* does not anticipate Claim 1. Accordingly, for at least these reasons, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

Independent Claim 14 recites a “means for controlling access to a secure computer resource associated with a client based on verification of a security credential provided by a

user of the client” and a “means for accessing verification data disposed on the client to enable the user to recover the security credential based on a response received from the user via the controlling means” (emphasis added). For at least the reasons discussed in connection with independent Claim 1, Applicants respectfully submit that Claim 14 is also patentable over the reference.

Independent Claim 19 recites “receiving a request at a client to access a secure computer resource, a security credential required from the user to access the secure computer resource;” “presenting verification data disposed on the client to the user;” and “enabling the user to recover the security credential based on a response received from the user to the verification data” (emphasis added). For at least the reasons discussed in connection with independent Claim 1, Applicants respectfully submit that Claim 19 is also patentable over the reference.

Independent Claim 31 recites “a collection module adapted to receive and store verification data associated with a user on a client” and “a recovery module adapted to enable the user to recover a security credential associated with accessing a secure computer resource via the client by verifying a user response to the verification data” (emphasis added). For at least the reasons discussed in connection with independent Claim 1, Applicants respectfully submit that Claim 31 is also patentable over the reference.

Claims 3-11, 13, 15-17, 20-21, 23-29, 32, 34-37, and 39 depend respectively from independent Claims 1, 14, 19, and 31 and therefore are also patentable over the references at least because they incorporate the limitations of respective Claims 1, 14, 19, and 31 and also recite additional limitations that further distinguish the references. Accordingly, Applicants respectfully request that the rejections of Claims 1, 3-11, 13, 14-17, 19-21, 23-29, 31-32, 34-37 and 39 under 35 U.S.C. 103(a) be withdrawn.

### **SECTION 103 REJECTIONS**

Claims 2, 12, 18, 22, 30, 33 and 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Cheston* in view of U.S. Patent Publication No. 2004/0030932 issued to Juels et al. (hereinafter “*Juels*”). Applicants respectfully traverse this rejection.

Claims 2, 12, 18, 22, 30, 33 and 38 depend respectively from independent Claims 1, 14, 19, and 31. As shown above, Claims 1, 14, 19, and 31 are patentable over *Cheston*. Therefore, for at least this reason, Claims 2, 12, 18, 22, 30, 33 and 38 which depend therefrom are also patentable over *Cheston*. *Juels* does not appear to remedy, nor does the Examiner rely on *Juels* to remedy, at least the deficiencies of *Cheston* indicated above. Accordingly, for at least this reason, Applicant respectfully requests that the rejection of Claims 2, 12, 18, 22, 30, 33 and 38 be withdrawn.

#### **NEW CLAIMS**

Applicants add new Claims 40-46. New Claims 40-46 are fully supported by the specification as originally filed. Therefore, Applicants respectfully requests allowance of new Claims 40-46.

#### **INFORMATION DISCLOSURE STATEMENT**

Herewith this response, Applicants submit an Information Disclosure Statement (hereinafter "IDS") under 37 CFR 1.97(b). Applicants respectfully request consideration of the information submitted in the IDS.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

An RCE filing fee of \$810.00 is believed due. With the presentation of new Claims 40-46, an excess claim fee of \$560.00 pursuant to 37 C.F.R. § 1.16 is also believed due. The Director of Patents and Trademarks is hereby authorized to charge Deposit Account No. 08-2025 of Hewlett-Packard Company in the amount of \$1,370.00 to satisfy the RCE filing fee. If, however, Applicants have miscalculated the fee due with this RCE, the Director is hereby authorized to charge any fees or credit any overpayment associated with this RCE to Deposit Account No. 08-2025 of Hewlett-Packard Company. If, however, Applicants have overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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